

**REMARKS/ARGUMENTS**

Applicants thank the Examiner for the thorough consideration given the present application. Claims 13-27 are pending in the present application. Claims 1-12 have been cancelled. Claims 13-27 are new.

The present application was filed on September 15, 2000, along with related co-pending U.S. Patent Application No. 09/663,511 (hereinafter '511 application), entitled "Interface Transmitter For Communications Among Network Elements." At the time of filing and due to an inadvertent clerical error, the claims and Abstract of the '511 application were mistakenly filed along with the specification of the present application. The nature of this inadvertent error will be evident upon review of the footer portion of each page in the present specification, which shows that Specification pages 1-34 contain a different file name ("...1232745\_1.doc"), than the file name ("...1232770\_1.doc") on pages 35-38 (on which the claims appear).

Because of this inadvertent error, Applicants have cancelled claims 1-12, and replaced them with claims 13-27. Applicants respectfully submit that claims 13-27 are the claims that were originally intended to be filed in the present application.

**Co-pending Application Letter**

A co-pending application letter has been filed concurrently herewith, citing the '511 application. Attached to this letter is a copy of the originally filed specification for the '511 application. As shown from the copy of the specification attached to the co-pending application letter, the same claims were filed in both the '511 application and the present application.

In addition, Applicants submit that relevant information regarding the prosecution history of the '511 application has been attached to the co-pending application letter for the Examiner's consideration.

**Specification**

A new Abstract is attached to replace the originally filed Abstract, which was mistakenly filed in the present application. (As discussed above, the original Abstract is the same filed in the '511 application.) Applicants respectfully submit that the inclusion of the new Abstract does not add any new matter to the present application.

### **Prior Art Rejection**

Claims 1, 2, 5-10, and 12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,105,079 to Kuo et al. (hereinafter Kuo) in view of U.S. Patent No. 6,674,751 to Dittmar (hereinafter Dittmar). It is respectfully submitted that these claims have been cancelled and replaced with a new set of claims, in order to correct the aforementioned clerical error. Accordingly, it is respectfully submitted that the § 103 rejection of these claims has been rendered moot. Thus, withdrawal of this rejection is respectfully requested.

### **Conclusion**

Applicants respectfully submit that the replacement of original claims 1-12 with new claims 13-27 is in no way a concession as to the validity of any outstanding claim rejection. Instead, these claim amendments were made merely to correct a clerical error, rather than for any reason relating to patentability. According, it is respectfully submitted that the claim amendments do not give rise to any estoppel and, in future consideration, claims 13-27 are entitled to their full range of equivalents.

Furthermore, it is respectfully submitted that the addition of new claims 13-27 do not add any new matter to the present application.

Should the Examiner believe that any outstanding matters remain in the pending application, the Examiner is encouraged to contact Jason W. Rhodes (Reg. No. 47,305) at the telephone number of the undersigned in order to discuss the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
Michael R. Cammarata, #39,491

  
MRC/JWR/kpc

Attachment: Abstract

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000